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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dan Foygel

A SYSTEM AND METHOD FOR
MANAGING WORK LOAD
DISTRIBUTION AMONG A
PLURALITY OF IMAGE OUTPUT
DEVICES

Serial No. 10/726,453

Filed 03 December 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 3651
Confirmation No. 6709
Examiner: Khoi H. Tran

I hereby certify that this correspondence is being
deposited today with the United States Postal
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Paula West
Paula West

12-22-05
Date

RESPONSE TO REQUIREMENT FOR RESTRICTION AND ELECTION

In response to the Election/Restrictions requirement presented by the Examiner in the January 24, 2005 official action, Applicant hereby elects Species I wherein the criteria for the controller to adjust the operation of the photolab and the job order in queue among plurality of output devices is based on operational efficiency of each output device. In this regard, independent claims 1, 5 and 17 are believed to fall within the species. In addition, dependent claims 4, 6, 8 and 20 are also believed to fall within this species. It is also respectfully submitted that the dependent claims that depend at least ultimately upon independent claims 1, 5 and 17, also fall within the species.

It is respectfully submitted that independent claims 9, 12 and 21 fall within the third species, whereas independent claim 24 is believed to fall within the fifth species. For the record, dependent claims 3, 4, 8, 10, 11, 13, 14, 16, 19, 20, 22 and 23 all include features directed to species II, and claims 2, 4, 7, 8, 10, 11, 13, 15, 18, 20, 22 and 23 all include features directed to species III, and claims 4, 8, 10, 11, 13, 14, 20, 22 and 23 all include features directed to the fourth species.

Upon the allowance of a generic claim, Applicant reserves the right to include additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank Pincelli", written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.